



October 11, 2017

1516 Ninth Street
Art Rosenfeld Hearing Room – First Floor
Sacramento, California 95814

10 a.m.

(Wheelchair Accessible)

THE COMMISSION WILL CONSIDER AND MAY TAKE ACTION ON THE FOLLOWING ITEMS:

1. CONSENT CALENDAR. (Items on the Consent Calendar will be taken up and voted on as a group. A commissioner may request that an item be moved and discussed later in the meeting.)
 - a. CALIFORNIA-CHINA CLEAN TECHNOLOGY PARTNERSHIP. In June 2017, Governor Edmund G. Brown, Jr. entered into numerous Memoranda of Understanding between the State of California and various Chinese entities to establish the California-China Clean Technology Partnership. The California Energy Commission was identified as an implementing agency for parts of this partnership, which requires the Commission to enter into additional agreements. Contact: Michael Murza.
 - i. Proposed resolution approving Agreement MOU-16-004, signed June 7, 2017, with the Government of Haidian District of Beijing to create a clean technology partnership and establish a California-China Clean Technology Innovation Center in Beijing, China.
 - ii. Proposed resolution approving Agreement MOU-16-005, signed June 9, 2017, with the Huadian Corporation, a Chinese state-owned enterprise, to advance a bi-lateral partnership focused on battery storage technology.
 - b. CLEAN ENERGY STATES ALLIANCE, INC. Proposed resolution approving Agreement 500-17-002 with Clean Energy States Alliance, Inc. for a \$50,000 contract to fund a one year membership renewal in the Clean Energy States Alliance (CESA) at the Core Member level. CESA is a national, nonprofit coalition of public agencies and organizations working together to advance clean energy. (ERPA Funding) Contact: Adam Van Winkle.
 - c. PROSPECT SILICON VALLEY DBA BAY AREA CLIMATE COLLABORATIVE (BACC). Proposed resolution approving mutual termination of Agreement EPC-14-083 with Prospect Silicon Valley dba Bay Area Climate Collaborative (BACC), a \$2,999,601 grant to develop and demonstrate a pre-commercial photovoltaic (PV) storage system with high-yield solar panels and a direct current to direct current interface to a modular battery energy storage system. The project can no longer be completed within the agreement term after a major subcontractor, which provided the hosting site and the majority of match

funding, withdrew from the agreement in July 2017. (EPIC funding) Contact: Angela Gould.

- d. ES ENGINEERING, INC. Proposed settlement regarding Agreement ARV-12-021, which awarded \$1,211,370 to ES Engineering, Inc. (ESEI) to demonstrate production of biomethane from solid food waste for transportation fuel.
2. ENERGY COMMISSION COMMITTEE APPOINTMENTS. Possible approval of appointments to the Energy Commission's Standing Committees and Siting Case Committees. Contact: Kevin Barker. (Staff presentation: 5 minutes)
3. LOS ANGELES DEPARTMENT OF WATER AND POWER RENEWABLES PORTFOLIO STANDARD (RPS) APPEAL (16-RPS-02). Contact: Paul Kramer. (Staff presentation: 5 minutes)
 - a. Consideration and possible approval of an order adopting the Committee Proposed Decision (CPD) and Errata on the LADWP appeal regarding certification and eligibility under the RPS program.
 - b. Possible closed session deliberation on the above described CPD. [Government Code Section 11126(c)(3)].
4. PROPOSED ADOPTION OF *NEW SOLAR HOMES PARTNERSHIP GUIDEBOOK* (NSHP GUIDEBOOK, ELEVENTH EDITION). Proposed resolution adopting revisions to the *New Solar Homes Partnership (NSHP) Guidebook*. The revisions are reflected in the NSHP Guidebook, Eleventh Edition. The NSHP Guidebook describes the requirements for participating in the NSHP and receiving incentives for installing eligible solar energy systems on new residential construction located in specified investor-owned utility territories. Proposed changes to the NSHP Guidebook address encumbrance deadlines pursuant to Public Utilities Code § 2851(e)(3)(B), updates to incentive levels, improvements to increase participation from affordable housing projects, program streamlining efforts, and input received from stakeholders on program improvements. Contact: Geoff Dodson. (Staff presentation: 5 minutes)
5. AMENDED MOUNTAINVIEW GENERATING STATION (00-AFC-02C). Possible approval of an order granting the petition to amend (PTA) the California Energy Commission Decision to allow for the replacement of the CO catalysts on the four existing combustion turbines at Mountainview. The current CO catalyst beds are original to the plant and nearing the end of their expected service life. The modifications proposed in the PTA will require administrative changes to several air quality conditions of certification. There will be no changes in existing emission limits and the project will continue to meet all limits established in existing permits. Contact: Mike Monasmith. (Staff presentation: 5 minutes)
6. CALIFORNIA PUBLIC UTILITIES COMMISSION. Proposed resolution approving Agreement RMB700-17-001 (CPUC Agreement 17IA5007) with the California Public Utilities Commission (CPUC) to reimburse the Energy Commission up to \$5,000,000 for providing technical consulting services required for review of transmission projects in compliance with the California Environmental Quality Act (CEQA). The environmental review will be conducted pursuant to CEQA and CPUC procedures. Contact: Al Alvarado. (Staff presentation: 5 minutes)
7. PROPOSED ADOPTION OF WHOLE-BUILDING DATA ACCESS, BENCHMARKING, AND PUBLIC DISCLOSURE REGULATIONS. Proposed resolution adopting regulations to implement the whole-building data access, benchmarking, and public disclosure provisions of Assembly Bill 802 (Williams, Chapter

590, 2015) as Title 20, Sections 1680-1685 of the California Code of Regulations. The proposed regulations would clarify requirements for utilities to provide whole-building energy use data on request, as well as establish a benchmarking and public disclosure program for buildings larger than 50,000 square feet. Contact: Erik Jensen. (Staff presentation: 10 minutes)

8. CITY OF LANCASTER. Proposed resolution finding that the city of Lancaster's locally adopted energy standards will require all new single-family residential structures to be designed to consume no more energy than permitted by the *2016 Building Energy Efficiency Standards*. The city of Lancaster's locally adopted energy standards will require installation of PV in newly constructed homes, with an alternative of paying a solar mitigation fee that will contribute to city-managed renewable resources. Contact: Ingrid Neumann. (Staff presentation: 5 minutes)
9. SOLEDAD UNIFIED SCHOOL DISTRICT. Proposed resolution approving Agreement 001-17-ECG with Soledad Unified School District for a \$3,000,000 loan at zero percent interest to construct five parking lot canopy solar PV structures, and one ground-mounted PV system. The installed PV panels will total 675 kWdc at five campuses, including the district office. In the first year the project is estimated to generate 1,023,654 kWh of electricity, reducing 353 tons of greenhouse gas emissions, and saving the district approximately \$196,480 in electric utility costs. Total project cost is estimated to be \$3,554,607. Simple payback on the loan amount is 15.3 years. (ECAA-Ed funded) Contact: David Michel. (Staff presentation: 5 minutes)
10. GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT. Proposed resolution approving Agreement 600-17-002 with the Governor's Office of Business and Economic Development (GO-Biz) for a \$150,000 contract to fund select activities in the Zero-Emission Vehicles Infrastructure Unit within GO-Biz. The unit activities include facilitating the growth of the hydrogen fueling station infrastructure and the electric vehicle charging infrastructure by working with local, state and federal government agencies; hydrogen station developers and hosts; electric vehicle charging planners, installers, and hosts; automobile companies; and other industry stakeholders. (ARFVTP Funding) Contact: Sebastian Serrato. (Staff presentation: 5 minutes)
11. DEVELOPMENT, DEMONSTRATION AND DEPLOYMENT OF ENVIRONMENTALLY AND ECONOMICALLY SUSTAINABLE BIOMASS-TO ENERGY SYSTEMS FOR THE FOREST AND FOOD WASTE SECTOR, GFO-15-325. This solicitation sought proposals to fund applied research and development (AR&D) and technology demonstration and deployment (TD&D) activities to advance bioenergy electricity generation. Consistent with the 2015-2017 EPIC Investment Plan and in coordination with the CPUC, the solicitation addresses three bioenergy funding initiatives. This solicitation is also responsive to the Governor's 10-30-2015 Proclamation of a State of Emergency to protect communities against unprecedented tree die-off. (EPIC funding) Contact: Gina Barkalow. (Staff presentation: 5 minutes)
 - a. ALL POWER LABS, INC. Proposed resolution approving Agreement EPC-17-017 with All Power Labs, Inc. for a \$1,500,000 grant to develop an innovative and improved power system based on the technological platform of All Power Lab's mobile, containerized "Powertainer" biomass gasification system and to demonstrate increased power and biochar production capacity in a net metered pilot project using forest-based residual biomass at a mill site in Shasta County.
12. DISCUSSION OF ENERGY COMMISSION PROGRESS RE: IMPLEMENTATION OF THE CLEAN ENERGY AND POLLUTION REDUCTION ACT OF 2015 (SB 350). Staff

presentation regarding progress on implementation of SB 350 requirements, including administration of the California Renewables Portfolio Standard program, review of local publicly owned electric utility integrated resource plans, revision of Commission data collection regulations to improve demand forecasting, identification of progress in meeting the bill's goals of 50 percent renewables procurement and doubling of energy efficiency, implementation of widespread transportation electrification, and preparation and publication of the study required by Public Resources Code Section 25327 regarding barriers for low-income customers to energy efficiency, weatherization, and renewable energy investments. Contact: Michael Sokol. (Staff presentation: 5 minutes)

13. **Minutes:** Possible approval of the September 13, 2017, business meeting minutes.
14. **Lead Commissioner or Presiding Member Reports.** A Lead Commissioner on a policy matter may report to the Commission on the matter and discussion may follow. A Presiding Member on a delegated committee may report to the Commission on the matter and discussion may follow.
15. **Chief Counsel's Report:** Pursuant to Government Code Section 11126(e), the Energy Commission may adjourn to closed session with its legal counsel to discuss any of the following matters to which the Energy Commission is a party:
 - a. *In the Matter of U.S. Department of Energy (High Level Waste Repository)*, (Atomic Safety Licensing Board, CAB-04, 63-001-HLW).
 - b. *Energy Commission v. United States Department of Energy* (2nd Cir. Docket No. 17-1798).
 - c. *Communities for a Better Environment and Center for Biological Diversity v. Energy Commission* (Court of Appeal, First Appellate District, # A141299).
 - d. *Energy Commission v. Electricore, Inc. and ZeroTruck* (Sacramento County Superior Court #34-2016-00204586)
 - e. *Helping Hand Tools and Robert Simpson v. Energy Commission* (San Francisco Superior Court Case # CPF-17-515576)
 - f. *National Electrical Manufacturers v. Energy Commission* (Federal District Court, Eastern District of California, #2:17-cv-01625)

Pursuant to Government Code section 11126(e), the Energy Commission may also discuss any judicial or administrative proceeding that was formally initiated after this agenda was published; or determine whether facts and circumstances exist that warrant the initiation of litigation, or that constitute a significant exposure to litigation against the Commission, which might include:

- a. Claims filed at, and rejected by, the Victim Compensation and Government Claims Board against a number of defendants including the Energy Commission relating to the gas leak at Aliso Canyon.
- b. The U.S. Department of Energy's actions to delay effective dates and failures to complete certain energy conservation standards and test procedures for appliances.
- c. The licensing process for a nuclear waste storage repository at Yucca Mountain, Nevada.
- d. Alternative and Renewable Fuel and Vehicle Technology Program grant ARV-10-016 with the City of San Jose, including its subcontractor JUM Global, and the

lawsuit between the two (5:16-cv-01462-HRL, United States District Court, Northern District of California [San Jose]).

- e. Alternative and Renewable Fuel and Vehicle Technology Program grant ARV-14-011 with HyGen Industries.

16. **Executive Director's Report.**

17. **Public Adviser's Report.**

18. **Public Comment:** People may speak up to three minutes on any matter concerning the Energy Commission, with the exception of items appearing elsewhere on this agenda or items related to pending adjudicative (certification or enforcement) proceedings.

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Adjournment of Hearings and Meetings: Depending upon time available and the orderly management of proceedings, the Commission may order adjournment (recess or postponement) of any noticed hearing or meeting, to be continued to the next day, another specific date or time, or to the next business meeting, as appropriate. Any such adjournment will be noticed at the time the order of adjournment is made (Government Code §§11128.5, 11129).